

DEPARTMENT OF THE ARMY
HEADQUARTERS FORT McCOY
FORT McCOY, WISCONSIN 54656-5226
1 April 2000

FORT McCOY REGULATION 420-01-00

FIREWOOD CUTTING REGULATION

SUMMARY. This regulation sets forth the rules and restrictions for cutting firewood on Fort McCoy.

APPLICABILITY. This regulation applies to all persons, military and civilian, who cut firewood on Fort McCoy. All seasons, dates, and restrictions are subject to change by Fort McCoy authorities.

PROPONENT EXCEPTION AUTHORITY. The proponent of this regulation is the Biological and Cultural Resources Management Team (B&CRMT), Range Division, Directorate of Training and Mobilization. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation.

ARMY MANAGEMENT CONTROL

PROCESS. Following a review of guidance in AR 11-2, it is determined that this regulation does not contain management control provisions.

DISTRIBUTION. Approved for public release; distribution is unlimited.

SUPPLEMENTATION. Supplementation of this regulation is prohibited. This publication represents an entire revision and replaces Fort McCoy Publication PUBL-PWN-420-06-95, 1 September 1995 and all related changes.

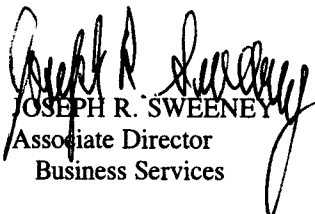
INTERIM CHANGES. Interim changes to this regulation are not official unless authenticated by the installation Publications Manager. Users will destroy interim changes on their expiration date unless sooner superseded or rescinded.

SUGGESTED IMPROVEMENTS. Users are invited to send comments, suggested improvements, or updates on DA Form 2028 (Recommended Changes to Publications and blank forms). Address comments to B&CRMT, Range Division, ATTN: AFRC-FM-TMR-B, 110 East Headquarters Road, Fort McCoy, Wisconsin 54656-5226.

MOBILIZATION STATUS. This regulation remains in effect without change during mobilization or a national emergency.

Official:

ROY L. HIGGINS
COL, EN
Commanding


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DISTRIBUTION: A

This regulation replaces Fort McCoy Publication PUBL-PWN-420-06-95, 1 September 1995

CHAPTER 1 INTRODUCTION

1-1. PURPOSE. This regulation sets forth laws and restrictions for wood cutting on Fort McCoy.

1-2. APPLICABILITY. This regulation applies to all persons, military and civilian, who cut firewood on Fort McCoy. All seasons, dates, and restrictions are subject to change by Fort McCoy authorities.

1-3. REGULATION.

a. Dates - Hours.

(1) The Fort McCoy firewood season shall be open from 1 January through 1 May and the first working day in September through 31 December each year except during the annual Gun Deer season in the training areas. The season will be open all year in the cantonment area.

(2) Cutting and hauling will be conducted during daylight only. **Civilian vehicles must adhere to the posted Black Out Drive requirements.**

(3) The Commander may suspend all hauling operations during the period of spring thaw whenever excessive damage will occur to road surfaces, and may cease all cutting and hauling operations during serious fire hazard periods or when military activities create a safety hazard or mission disruption potential.

b. Cutting Permits. Permits cost \$5.00 per day and may be purchased by any person over 16 years of age except those barred from Fort McCoy or are under suspension for violating any Fort McCoy Natural Resource Regulation. **Checks will not be accepted.** Permits must be purchased by the permittee (or spouse) at Permit Sales in Building 103, Monday through Friday from 8:00 a.m. to 3:30 p.m. and will authorize firewood cutting for the permittee only. Permits must be in possession of the permittee when cutting and/or traveling on Fort McCoy property. Cutters are authorized to cut and remove wood only on the day authorized by the permit. Permits may be purchased in advance of the date requested.

c. Cutting Locations and Limits. Firewood will be cut in authorized areas only. Information concerning these areas will be available where the permit is purchased and at the Directorate of Protective Services (DPS), Building 1760, on a day to day basis. Paint marked trees will not be cut unless authorized in writing by the post forester. Firewood may be cut during daylight hours on the day specified by the permit. A load is limited to trucks smaller than a semi-tractor and trailer. The number of loads per day is limited to one vehicle and as many loads that can be hauled on the specified day.

d. Wood To Be Cut. Only standing dead trees and dead trees lying on the ground will be cut. However, special areas of live trees may be authorized in writing by the post forester. The cutting of unauthorized live trees or trees dead or live outside the designated area, will constitute a violation. Areas of commercial firewood or timber sales are off limits to firewood permit holders. This wood is the property of a person or corporation and any removal constitutes theft.

1-4. VIOLATIONS.

a. Penalties. Wisconsin State Timber Trespass Laws generally apply to Fort McCoy through the operation of 10 U.S.C. 2671 and 18U.S.C. 13. "Whoever is guilty of an act or omission within the boundaries of the Fort McCoy military reservation, which would be punishable if committed within the jurisdiction of the State of Wisconsin, is guilty of like offense. Therefore, violations of such laws and violations of this regulation may result in revocation of the Fort McCoy firewood permit, criminal prosecution in Federal Court, being barred from Fort McCoy, immediate removal from the Installation, loss of any cut wood on the ground or in the act of transport, and/or disciplinary action under the Uniform Code of Military Justice for persons subject thereto.

b. Vehicle Search. Owners or operators of motor vehicles entering Fort McCoy do thereby consent to the search of the motor vehicle without requirements of a search warrant.

c. Any violation of this regulation will immediately cancel any remaining authority for firewood cutting and/or removal. Violations will also suspend/revoke all privileges to include hunting, fishing, trapping, and firewood cutting for one year. The U.S. government will not accept liability for damages or injuries to persons or property, real or personal, resulting from this operation. Fort McCoy will be indemnified for any damage due to real or personal property as result of any act or omission in cutting or hauling firewood. Neither the permit nor any interest therein shall be assigned or transferred by the permittee to any other party (section 3737, Revised Statutes, as amended by 41 U.S.C. 15).

1-5. CHECK-IN AND CHECK-OUT. Cutters will check-in with the police desk prior to cutting and check-out when finished for the day. Check-in and out can be accomplished by visiting building 1760 or calling 608-388-2266 and giving the following information; training area where you will be working, vehicle information (make, model, year, color) and home phone number.

1-6. CUTTERS' RESPONSIBILITIES.

a. Reporting information. Cutters are required to notify the (1) Installation Fire Station about uncontrolled fires on or off the Installation and (2) the DPS about locations of unexploded munitions, shells, flares, grenades and suspicious looking objects and any observed violations of federal, state or post regulations or laws.

b. Conduct. All cutters are expected to display proper conduct and willingly cooperate with military officials, other cutters and Fort McCoy officials conducting forest management operations. The authority of the Department of Defense Police and Deputy Wardens will be recognized.

c. Miscellaneous. All persons are warned that, within the boundaries of Fort McCoy it is unlawful to:

(1) pick up, disturb, or carry off government equipment, ordnance, munitions, or parts of the same;

(2) litter, this includes placing/using flagging tape;

(3) start fires (charcoal fires in designated areas are allowed);

(4) camp overnight except at the Pine View Recreation Area;

d. Archaeological Resources. It is illegal to dig, excavate, disturb the ground, or collect archaeological artifacts on Fort McCoy. Violators are subject to criminal penalties involving fines or imprisonment or both and civil fines and forfeiture of vehicles and equipment used in connection with a violation. Archaeological Resources Protection Act of 1979 (16 USC 470, and 36 CFR 261.9). Violators will be prosecuted.

1-7. FORT MCCOY'S RESPONSIBILITIES. The Directorate of Training and Mobilization (DTM) is responsible for the overall program. The Biological and Cultural Resources Management Team (BCRMT) is responsible for the day-to-day office and field operations and the implementation of the procedures as stated. The DPS is responsible to patrol the firewood cutting areas and enforce this regulation.

1-8. PROCEDURES.

a. Firewood (Sales Operation). The Permit Sales Clerk and the alternates (Forester, Forestry Technician and Fish and Wildlife Collections Officer) will be assigned on official orders from the Fort McCoy Adjutant to sell firewood permits. Maps showing tract locations and a

copy of the Fort McCoy Regulation will be provided to all permittees. Copies of sold permits will be maintained by number sequence and filed in a locked safe. All monies will be accounted for daily and secured at all times. Collections will be deposited in the designated general depository or Federal Reserve Bank on a weekly basis, when the amount exceeds \$200 and on the last day of the month. Each deposit will be submitted through the Directorate of Business Services, Program Budget division to the Directorate of Centralized Disbursing.

b. Field Procedures. Tracts selected by BCRMT for firewood will be cleared with Integrated Training Area Management and Range Safety prior to cutting. The Fort McCoy Forester will provide tract maps and cutting details to DPS. Directional signs may be installed by BCRMT to assist cutters in locating tracts when necessary. Tract boundaries will consist of easily identified natural features whenever possible.